As soon as you know your new address, mail this card to all of the people, businesses, and publications who send you mail.

For publications, tape an old address label over name and old address sections and complete new address.

Your Name (Print or type. Last name, first name, middle initial.)  WSJR-AM Radio						
Old Address	No. & Street  6 10th Ave.	Apt./Suite No.	РО Вох	RR No.	Rural Box No.	
Add	City Madawaska, ME.	State ME.	ZIP+4 047	56-		
New ddress	No. & Street	Apt./Suite No.	PO Box	RR No.	Rural Box No. 7060	
ν	Worcester Worcester	State VT.	ZIP+4 056	8 2 -		
Sign	Here Doubley	Date new effect	address in	Keyline No	o. (If any)	

PS Form **3576**, November 19**6**0

RECEIVER: Be sure to record the above new address.

## FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20054

FOO MAIL SECTION

JUN 2 3 1994

In Reply Refer To: 8910 - SML Stop Code 1800B2

Thomas 28. Beardsley, General Partner RFD Box 7060 Worcester, VT 05682

In re: WSJR(AM)

Madawaska, Maine

Dear Sir or Madame:

This letter concerns your pending request for authority to remain silent. Temporary authority is hereby granted for the above-referenced station(s) to remain silent for three months from the date of this letter.

On December 11, 1991, the Commission adopted a Report and Order (copy attached) which amended Part 1 of the Commission's Rules, to implement Section 5301 of the Anti Drug Abuse Act of 1988. Pursuant to the Report and Order, any requests for extension of this authority must be accompanied by a certification that neither the applicant nor any party to the request is subject to a denial of Federal benefits under Section 5301. Please use the attached certification page to comply with this requirement.

Before a new STA will be granted, you must submit a plan detailing your efforts to sell the station. This may include but is not limited to a marketing plan, proof of listing with broker, list of prospective buyers contacted and all other positive efforts made to sell the station.

It will be necessary to maintain prescribed tower lighting in accordance with the station's license authorization. If an extension is not required, you are requested to notify the Commission, in writing, of the exact date the station resumes on-air operations.

In the event that any AM station remains silent for a period over 6 months, it will be necessary to file with the Commission, prior to returning the station to on-air operations, an FCC Form 302 for direct measurement of power which should include a partial proof of performance for stations with directional antennas.

Sincerely,

James R. Burtle Chief, AM Branch

Audio Services Division

Mass Media Bureau

#### ANTI-DRUG ABUSE ACT CERTIFICATION

The applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862a, or, in the case of a non-individual applicant (e.g. corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. § 1.2002(b).

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## FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20054

FOC MAIL SECTION

WW 2 3 1994

In Reply Refer To: 8910 - SML Stop Code 1800B2

Thomas Bun Reardshey, General Partner RFD Box 7060

Worcester, VT 05682

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In re: WSJR(AM)

Madawaska, Maine

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James R. Burtle Chief, AM Branch

Audio Services Division

Mass Media Bureau

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## FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20054

FCC MAIL SECTION

JUN 2 3 1994

In Reply Refer To: 8910 - SML Stop Code 1800B2

Lamoil 2 comm. 6-10th Avenue
Madawaska, ME 04756
DIS SY

In re: WSJR(AM)

Makawaska, Maine

Dear Sir or Madame:

This letter concerns your pending request for authority to remain silent. Temporary authority is hereby granted for the above-referenced station(s) to remain silent for three months from the date of this letter.

On December 11, 1991, the Commission adopted a Report and Order (copy attached) which amended Part 1 of the Commission's Rules, to implement Section 5301 of the Anti Drug Abuse Act of 1988. Pursuant to the Report and Order, any requests for extension of this authority must be accompanied by a certification that neither the applicant nor any party to the request is subject to a denial of Federal benefits under Section 5301. Please use the attached certification page to comply with this requirement.

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Sincerely,

Dames R. Burtle Chief, AM Branch

Audio Services Division

Mass Media Bureau

8910-SML WSJR(AM)

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# FOO MAJEDERAL COMMUNICATIONS COMMISSION WASHINGTON, D.C. 20554

April 7, 1994

LAR J. Hilliam ...

IN REPLY REFER TO: STOP CODE 1800B2 8910-SML

Lamoille Broadcasting & Comm. 6-10th Avenue Madawaska, ME 04756

In re:

WSJR (AM)

Makawaska, Maine

Dear Applicant:

This is in reference to your pending request for Special Temporary Authority (STA) for the above-referenced station to remain silent.

On December 11, 1991, the Commission adopted a Report and Order (see attached copy) to amend Part 1 of the Commission's Rules to implement Section 5301 of the Anti-Drug Abuse Act of 1988. Effective February 3, 1992, applicants requesting STA are required to certify that neither the applicant nor any party to the request is subject to a denial of Federal Benefits under Section 5301.

Action will be deferred on your request pending receipt of your certification (See attached sample certification). Your certification should be directed to:

AM Branch, Room 342
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

Singerely,

James R. Burtle Chief, AM Branch

Audio Services Division

Mass Media Bureau

8910-SML WSJR(AM)

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# F00 MFEDERAL COMMUNICATIONS COMMISSION WASHINGTON, D.C. 20554

April 7, 1994

Apr 3 Head ... ..

IN REPLY REFER TO: STOP CODE 1800B2 8910-SML

Thomas B. Beardsley, General Partner RFD Box 7060 Worcester, VT 05682

In re: WSJR (AM)

Madawaska, Maine

Dear Applicant:

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1919 M Street, N.W.
Washington, DC 20554

Sincerely

James R. Burtle Chief, AM Branch

Audio Services Division

Mass Media Bureau

8910-SML WSJR(AM)

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WHO-187 239

#### FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

2 7 JAN 1993

IN REPLY REFER TO:

Honorable William S. Cohen United States Senate 322 Hart Senate Office Building Washington, D.C. 20510-2402

Dear Senator Cohen:

Thank you for your letter regarding radio stations WSJR(AM), Madawaska, Maine, and WLVC(AM), Fort Kent, Maine. By letter dated December 11, 1992, the licensee of these two stations, Lamoille Broadcasting and Communications ("Lamoille"), was informed by our office that its outstanding construction permit (File No. BP-841224AD, reinstated as File No. BP-910311AC), which expired October 9, 1991, was cancelled because Lamoille had failed to request an extension of the construction permit, or file a license to cover the construction permit. On December 18, 1992, Lamoille timely appealed the decision. We will consider the appeal on its merits as soon as the priorities of other prior filed matters allow.

In your letter, you ask for information regarding the purpose of engineering work required by the application forms, the cost of the engineering work, and the law or regulation which requires such work. The two forms to which you refer are FCC Form 301, required for "minor changes" in AM broadcast facilities, and FCC Form 302, required for licensing the proposed modification. Both forms include engineering sections which require the applicant to show that the proposed facilities comply with Sections 1.1307, 73.24, 73.37, 73.182, and 73.187 of the Commission's Rules. These Sections require the applicant to show the impact of the proposed facilities on the environment and on the population living within the station's 1 V/M contour. as well as the proposed facilities' technical impact on the daytime, nighttime and critical hours service of other licensed broadcast facilities. The Commission does not require the applicant to hire an engineer to complete these forms, but it does require the applicant to certify, under penalty of law, that the statements made on the forms are true and correct. To verify the accuracy of the representations made on the forms, applicants often retain engineers or engineering consultants, the cost of which varies depending upon the engineer or engineering firm engaged.

You also request information regarding the fees required by the Commission when application forms are filed. In the Omnibus Budget Reconciliation Act of 1989, Congress directed the Commission to prescribe charges for certain of the regulatory services it provides to many of the communications entities within its jurisdiction. The appropriate fees are determined by Congress in Section 8 of the Communications Act of 1934, as amended. An applicant may request a waiver of the fee in specific instances where good cause is shown and where

waiver or deferral of the fee would promote the public interest. Applicants seeking waivers must submit the request for waiver in conjunction with the application, the fee form (FCC Form 155), and the required fee. The request for waiver will be acted upon by the Office of the Managing Director with the concurrence of the General Counsel's Office. Fees submitted will be returned if a waiver is granted.

Sincerely,

Roy J. Stewart

Chief, Mass Media Bureau

### United States Senate

WASHINGTON, DC 20510



December 31, 1992

Alfred C. Sikes, Chairman Federal Communications Commission 1919 M Street, N.W. Washington, D.C. 20554

Dear Chairman Sikes:

I am writing on behalf of one of my constituents, Thomas Beardsley of Madawaska, Maine.

Mr. Beardsley is the co-owner of two Class IV AM radio stations: WSJR in Madawaska and WLVC in Fort Kent. He is seeking a power increase for WLVC which currently operates at 250 watts a day and 1,000 watts a night. I have enclosed copies of Mr. Beardsley's recent correspondence which outlines the background information pertaining to his situation. He understands that the cost for this "minor" change is \$565.00 and the license fee is another \$370.00. In addition, Mr. Beardsley understands that he is required to do some preliminary engineering work before he can apply for the license. He estimates the cost for this to be several thousand dollars.

In order that I may be fully responsive to Mr. Beardsley's concerns, I would appreciate having the following information:

- 1) What is the purpose of this preliminary engineering work, what is its estimated cost, and under what law or regulation is it required?
- 2) Is there any appeals process by which Mr. Beardsley can apply to have the fees waived? Section 8, 47 U.S.C. 158 states that the Federal Communications Commission (FCC) may waive or defer payment of a charge in any specific instance for good cause shown where such action would promote the public interest. Does this apply to Mr. Beardsley's situation?

WLVC provides an invaluable service to the residents of northern Maine. For example, in April of 1991, Allagash, a small community in this area, suffered severe

Alfred C. Sikes, Chairman December 31, 1992 Page Two

flooding and ice jams causing substantial damage to area homes and public property. This marked the worst natural disaster in the Allagash's 105-year history and the area was declared a major disaster area by President Bush. During this period, WLVC provided critical communications to these residents who have no other local radio service. Similarly, when inclement weather conditions result in school closings WLVC is the only local radio service which provides this information.

Clearly, allowing WLVC to increase its power to 1,000 watts by day, and thereby provide this type of information to more residents in these communities, would certainly be in the public interest of the people of Maine.

Within the last few days, Mr. Beardsley has informed me of another development with WLVC, the FCC's cancellation of his construction permit in accordance with Section 73.3599 of the Commission's rules on the grounds that the station was not ready for operation within a certain time frame. I would also appreciate any information that you can provide me regarding this situation and what options may be available to Mr. Beardsley at this time.

Thank you for your attention to this matter. If I can provide you with any additional information please contact Paulina Collins of my Washington staff at (202) 224-5538.

With best wishes, I am

Sincerely,

William S. Cohen United States Senator

WSC:pmc Enclosures AM 1230 WSJR
Madawaska WSJR
AM 1340
Fort Kent

6 - 10th Avenue. Madawaska. ME 04756 (207) 728-4000

12/18/92

Donna Searcy Secretary of the F.C.C. 1919 M St. NW Washington, DC 20554

#### Dear Secretary:

I am writing in response to a certified letter we received yesterday re: 8910-CSL, over the signature of Peter J. Rubenstein acting on behalf of Mr. Larry D. Eads, Chief, Audio Services Division, Mass Media Bureau. The matter in question is related to construction permit BP-841224AD for WLYC-AM radio in Fort Kent, Maine.

The above referenced letter states that the permit has been cancelled. I am writing, first of all, to inform the commission that we have taken appropriate steps to make sure we are now operating within the specifications of our license prior to the issuance of the permit in question. (250 watts day and night):

When the permit was granted by the F.C.C. on 4/1/91, we immediately put the items needed in place and began broadcasting at 1,000 watts nights on 5/23/91. On that date, under advice of our attorney Benjamin Perez, we informed the F.C.C. in a letter to Mr. Vincent F. Kajunski with a copy to Mr. Eads. (See enclosure). Since then we have had our license renewed and there was a subsequent letter (5/30/92) to Mr. Eads referring to the fact that we were operating at 1,000 nights as authorized by the permit. I also spoke to Mr. Eads on the telephone regarding the operation of WLVC and explained to him exactly what we have been doing: Never, in any of these communications was there any mention of any further paper work and/or fees related to this permit to be in full compliance until we received the letter yesterday from Mr. Rubenstein. I had assumed, apparently incorrectly, that we had done everything properly to date. Now, 19 months after the fact, we are told that our construction permit has been cancelled.

Page

-2-

The purpose of this letter is to be as open and honest with the commission as possible about this situation and to ask what can be done now to at least get back to where we were 24 hours ago:

Please advise.

Respectfully yours,

Thomas B. Beardsley General Manager

P.S. The permit file number was changed to BP-910319AC when it was reinstated on 4/9/91. (See enclosure):

cc: Katherine Riggins

DEC 21 '92 89:28 AM WSJR/WLVC

#### FEDERAL COMMUNICATIONS COMMISSION WASHINGTON, D.C. 20554

-DEC 1 1 1997

IN REPLY REFER TO: 8910-CSL

#### CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Lamoille Broadcasting and Communications \* General Partnership 6-10th Avenue Madawaska, Maine 04756

In re:

WLVC(AM) Fort Kent, ME BP-841224AD

#### Licensee:

This concerns the above-referenced construction permit to modify existing facilities.

Section 73.3599 of the Commission's Rules provides in pertinent part that a construction permit shall be automatically forfeited if the station is not ready for operation within the time specified therein or within such time as the Commission may have allowed for completion.

Your construction permit (BP-841224AD) was granted on January 25, 1985, and construction was to have been completed by January 25, 1986. Your latest extension application was granted on April 9, 1991 and construction was to have been completed by October 9, 1991.

To date, no FCC Form 302 license application has been filed to cover this construction, nor has a current FCC Form 307 application requesting extension of time to construct been received.

In view of the above, and in accordance with Section 73.3599 of the Commission's Rules, your construction permit (BP-841224AD) is hereby CANCELLED.

Sincerely.

Larry D. Eads, Chief Audio Services Division

Mass Media Bureau

DEC 18 '92 84:14 PM

WSJR/WLVC

Poge



P.O. Box 447, 6 10th Avenue, Madawaska, Me. 0475

(207) 728-4000

5/23/91

Mr. Vincent F. Kajunski 1 Batterymarch Park, Quincy, Ma. 02169

Dear Mr. Kajunski:

For your information, WLVC-AM in Fort Kent has now begun operating at 1000 watts nights under authority of construction permit BP-910319AC.

If you have any questions, please feel free to call. If I am unable to answer your questions, I am sure my chief engineer Aurel Daigle will be able to.

Sincerely,

Thomas B. Beardsley General Manager

CC t Larry Eads

Audio Services Division

Mass Media Bureau.

Federal Communications Commissions

Washington, D.C. 20554

1 207 728 4001

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### PEDERAL COMMUNICATIONS COMMISSION

File No. BP-910311AC

Call Sign W L V C

Modification No.

MODIFICATION OF CONSTRUCTION PERMIT

(Class of station)

Lamoille Broadcasting and Communications 6 10th Avenue Madawaska, Maine 04756

 $\Gamma$ 

Permittee Lamoille Broadcasting and Communications

Station location: Fort Kent, Maine

Associated Broadcest station:

The Authority Contained in Authorization File No. BP-900130AD dated February 6, 1990 granted to the Permittee listed above is hereby modified in part as follows:

THE ABOVE CONSTRUCTION PERMIT, INCLUDING CONDITIONS, IS HEREBY REINSTATED AS: \_\_\_BP-910319AC

DATE OF REQUIRED COMPLETION OF CONSTRUCTION: October 9, 1991

This modification of construction permit shall be attached to and be made a part of the construction permit of this station.

Except as herein expressly modified, the above-mentioned construction permit, subject to all modifications heretofore granted by the Commission, is to continue in full force and effect in accordance with the terms and conditions thereof and for the period therein specified.

Dated: April 9, 1991

SML:yl

FEDERAL COMMUNICATIONS COMMISSION



APR 1 7 199

FCC Form 361 October 1978

# WLVC AM 1340 Fort Kent

6 - 10th Avenue, Madawaska, ME 04756

(207) 728-4000

11/30/92

11/21/92

Honorable William Cohen, Senator 169 Academy St. Presque Isle, Me. 04769

Dear Senator Cohen:

Thank you for taking time from your busy schedule to visit our station while you were here in the Valley. I have had numerous comments and compliments on the program from our listeners. They found it to be a very informative half hour.

The main purpose of this letter is to enlist your support in an area that has caused me a great deal of frustration. I am hoping you may be able to help us make a breakthrough in what should be a logical solution to a simple problem for anyone except a government bureaucrat. Allow me to explain.

WSJR in Madawaska and WLVC in Fort Kent are both Class IV AM radio stations. My partner and I own both of them. A Class IV station is basically defined as a local station with a power output of 1,000 watts day and night. Up until about 1982, Class IV stations were required to reduce their night power output to 250 watts. At the time, it was believed that the skywave generated at 1,000 watts at night would cause interference with other stations great distances away on the same frequency. However, that was finally proven not to be the case. In the early eighties, all Class IV stations were allowed to begin operating at 1,000 watts day and night. There was no paper work, no fees and no expensive engineering work required at the time. A date was set and all Class IV stations simply did not reduce power at sundown on that date as they had been required to in the past. Simple as that. When we bought our stations in 1990, we immediately took advantage of a permit issued to WLVC allowing it to begin broadcasting at 1,000 watts nights as all other Class IV stations had done a decade earlier. However, due to another F.C.C. regulation still in effect at the time, WLVC still had to reduce power during the day to 250 watts.

Now the hitch for us. WLVC in Fort Kent was licensed as a Class IV when it went on the air in the seventies, but, it was required to operate only at 250 watts day and night, due to "duopoly" considerations. Simply put, the Federal Communications Commission's

"duopoly" rule prohibited ownership of more than one station of the same type in a specific area. At 1,000 watts each, WSJR and WLVC would overlap, creating a violation of the duopoly rule at the time.

Now the latest development. The F.C.C. has relaxed the duopoly rule. WLVC and WSJR would no longer be in violation if WLVC began operating at 1,000 watts during the day. So, you would think this would not be a problem with the F.C.C. Unfortunately, due to what appears to be a case of bureaucratic inflexibility, this is not the case. We asked the F.C.C. for permission to begin full time, 1,000 watt operation and even got some support from Senator Mitchell's office. While the F.C.C. appears to agree that what we are asking is very reasonable, they still require that we go through what would be a prohibitively expensive procedure to do so.

As you will see by the enclosed documents, there is considerable local support for what we are asking and some very real benefits to the public. Yet, due to an unfortunate sequence of events from our perspective, we cannot move forward. Had the duopoly rule been eliminated first, we would probably have been allowed to go to 1,000 watts full time along with all the other Class IV stations. However, since the change in Class IV station definition came first, we were caught and we remain stuck in between two rule-makings that work against us.

All this is particularly frustrating at a time when the government is about to go into competition with me in Fort Kent. It would seem that a little flexibility in the rules for a small business, struggling just to survive, is not too much to ask, considering the fact that public broadcasting is about to spend \$250,000 to take listeners away from me. It's difficult enough to sell commercials for \$4.00 apiece in the St. John Valley. Now we will be in competition with a government funded, state-of-the-art, FM station, backed by some of the finest radio programming in the world. It may very well be the straw that breaks the camel's back.

It seems that the least the government (the F.C.C.) could do would be to give me a small break. Give me what all other tiny, Class IV stations have, slightly better coverage of the area we are attempting to serve. It is a "minor" change, even by the F.C.C. definition. Yet, the filing fees and engineering work required are totally out of reach. My best guess is that it would probably cost about \$3,000 to \$4,000 to achieve what all other Class IV stations got for free back in the early eighties.

Senator, in my present financial circumstances, it may as well be a million. On top that, it would probably take about two to three years to accomplish. Ridiculous, when you consider the fact that all the equipment is in place and ready to go right now. All we need is permission from the F.C.C. Yet they seem more intent on collecting filing fees and seeing to it that high paid F.C.C. attorneys and engineers get more blood from this stone, than they are about service to the public.

Any help you can give me would be greatly appreciated.

Respectfully vours

Thomas B. Beardsley

General Manager



# WLVC AM 1340 Fort Kent

(207) 728-4000

5/30/92

Mr. Larry Eades
Federal Communications Commission
1919 "M" Street, N.W.
Washington, DC 20554

Dear Mr. Eades:

I am writing to you because you have been very helpful to me over the telephone and I am hoping you will be able to give me some assistance now that the AM freeze has been lifted.

I am co-owner of WLVC-AM radio station in Fort Kent, Maine. We purchased the station in February of 1990 along with WSJR-AM in Madawaska. The two stations are about twelve miles apart. WSJR is 1,000 watts full time. WLVC is 250 watts days and 1,000 nights. As near as I can figure, the only reason WLVC is not operating at 1,000 full time as all other stations of this class were allowed to do several years ago was because of duopoly considerations as they may apply to WSJR. If we were to be allowed to operate at 1,000 watts there would be overlap in some very small, extremely rural communities such as St. Agatha and. Frenchville, Maine. Other than that, I can't imagine there would be any problem produced by our operating at a full 1,000 watts day and night. In fact, a very real case could be made for the public service benefits such a change in our operating status could make. I ask you to review the enclosed letters I have obtained from local public officials we have had occasion to work with. Since these letters were written, several more situations where we could have been of much greater service to the region have occurred. The most recent of which was a 750 acre forest fire that necessitated the complete evacuation of the community of Allagash. Some 250 people were affected. We were unable to help much due to the fact that our 250 signal is shaky, at best in the area. At 1,000 watts, we could have provided a very real service. The next closest station to the area is WSJR, our station in Madawaska. Beyond that, the closest "local" service originates in Caribou, some 50 miles to the southeast.

It is my understanding that back when all other 1,000 watt day and 250 night AM stations were allowed to go to 1,000 watts day and night, no paper work fees or engineering studies were required. WLVC was allowed to go to 1,000 nights, but had to remain

at 250 days due primarily to the duopoly consideration. Now that the duopoly rules have been relaxed, I would like to know if we may be permitted to beain 1,000 watts day and night operation without going through the prohibitively expensive process of filing for an upgrade. We are an extremely small AM stand-alone operation, struggling to survive by providing real service to our area. If the FCC could see its way clear to allow us to begin 1,000 watts, full-time operation, nobody would be harmed and some people living in very remote areas could conceivably benefit a great deal from the service we would then be able to provide.

All the equipment we need is in place. All we need is permission from the commission. However, if we have to pay filing fees and consulting engineers to obtain permission, it simply won't be done. There is very little if any financial gain to be realized by going to 1,000 watts full time on WLVC. There aren't many, if any advertisers over in Allagash. We just want to do a better job serving this very remote region.

Any help, or advice you or the FCC can give me would certainly be appreciated.

Respectfully yours,

Thomas B. Beardsley General Manager.